

SAW LOGS.

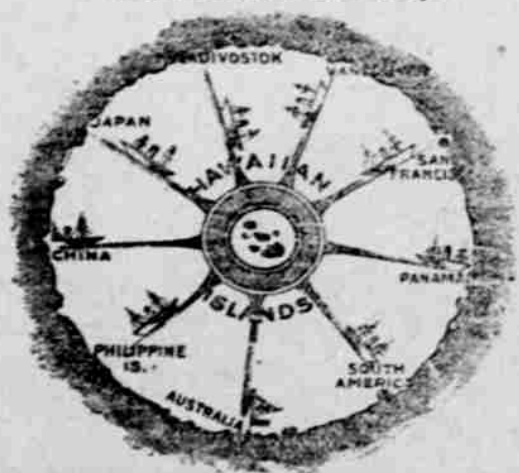
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REMAINS IN STATUS QUO

Contempt Case
Will Probably
Wait.

RELEASE ON BAIL
HELD TO BE GOOD

Chief Justice Frear Stands by
Order—High Sheriff Expects
Contempt Citation.

Nothing further is now likely to be done in the Smith contempt case until the Supreme Court meets Monday, April 21st, at which time will be heard the application for discharge upon writ of habeas corpus. Chief Justice Frear decided Saturday that the release on bail upon the order previously made by him was valid, and there the matter stands. Though Judge Gear threatened High Sheriff Brown with contempt proceedings for releasing Mr. Smith, it is generally agreed that this was simply a case of bluff upon his and Humphreys' part, and that the matter will now be allowed to rest until regularly called up in the Supreme Court.

Judge Robinson stated last evening that nothing had been done since the decision of Chief Justice Frear, and he said further that he did not believe any further action would be taken, at least, not in so far as he was concerned.

High Sheriff Brown has not been served with any notice to appear before the Circuit Court for the execution of the order of the Chief Justice, and despite the threats of Humphreys and Gear that if the writ was not dissolved, further action would be taken by them, it is not believed that they will attempt to carry out their program. Any action on their part which would seek to interfere with the execution of an order by the Supreme Court would probably result in a citation for the Chief Justice to show cause for contempt, as the case has now passed from the jurisdiction of the lower court, and is in the Supreme Court.

It was expected that if any further action was to have been taken, it would have been Saturday afternoon, after the Supreme Court justices had gone to their homes. Humphreys and Gear tried their best to get Mr. Smith into prison, even though it was only for a few minutes, and they would have liked to force him to spend Sunday there. After the decision taken by the Chief Justice in regard to his former order, there was nothing further to be done, and Davis and the two judges seem to have given up the fight, at least for the present. Davis is a very much disgusted man. After he had been politely informed that the order in the case would not be changed, he left the building angrily denouncing the court, and visibly in contempt, according to the version of that offense he gave in the Smith case. He threatened that if this state of affairs continued people who were cartooned would begin to carry guns, like they used to do out west. "Personally, it don't make any difference to me," said Davis, "for I am used to that sort of thing, but some of the people who are being cartooned won't stand it much longer, and if there is not protection in the courts, we will have to protect ourselves."

At present there is no conflict between the courts. The Circuit Court has held one way, and Chief Justice Frear takes a different view of the matter. If there is to be any conflict it will be precipitated by Humphreys and Gear, for it can only be by an attempt on their part to override an order of a higher court, that any conflict can come. Unless some action is taken in the lower court today, the contempt case will remain in status quo until the 21st of April, when the motion for a writ of habeas corpus will regularly come up for hearing.

Davis says he will refer the whole matter to the Department of Justice at Washington, though his promised attack on "one A. Perry," failed to materialize there.

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